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CHILD LABOR IN NEW ENGLAND

BY E. W. LORD,

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The gospel of work has long been preached in New England. The New England Yankee has ever been noted for industry and thrift, and just as thrift has sometimes lapsed into parsimony, so the insistence upon universal industry may have been pushed to such an extreme that it has ceased in some cases to be a virtue. That children should not be without some employment has ever been a cardinal principle of our faith. We recognize that "Satan finds some mischief still for idle hands to do," although we have also accepted somewhat grudgingly, it is true, that "All work and no play makes Jack a dull boy." The feeling that even the child ought to be usefully employed found early expression in the home life of our people, and in every well-ordered household even the youngest members of the family circle had their regular tasks to perform. As in the average home there was much that children could do, Satan's opportunities to furnish diversion were reduced to the minimum.

In no part of our country did the dawn of our modern industrial system introduce greater changes than in New England. There as elsewhere, the old occupations of the home have gradually been reduced in number, and, in the towns and cities at least, have now to a great extent disappeared; but the feeling of the people towards the inherent danger of idleness has remained much the same and has resulted in the prompt transfer of the workers from the home to the factory. The child who had little to do at home must naturally turn to whatever line of work might be possible outside, and the factories, which were rapidly established throughout all New England, offered in most cases the first available opportunity for what seemed to be profitable employment.

The history of the introduction of child labor and the struggle for its restriction are no different in New England than elsewhere. Maine and Massachusetts early adopted restrictive legislation, forbidding the employment of children under twelve years of age,

and fixing the day's work at twelve hours. As early as 1856 the day's work for those under sixteen was reduced to ten hours. As the need became evident other laws were enacted and other states followed suit. The present laws of the New England States in relation to child labor are fairly satisfactory. Their main features are shown concisely in the table given on page 33.

In all the New England States the minimum age for the regular employment of children in factories or mercantile establishments is fixed at fourteen years, although in New Hampshire and Vermont children of twelve may be employed when the public schools are not in session. This provision until recently prevailed in Maine and was the cause of much difficulty in the enforcement of the law, children frequently going to work during the vacation of the public schools and neglecting to return when the schools opened.

Four of the six New England States demand a more or less definite educational qualification before any minor under sixteen may begin work. Connecticut sets the lowest standard of these four states, requiring only that an illiterate under sixteen must attend evening school, but the state school authorities may establish other requirements. New Hampshire accepts such attendance, but there are few evening schools in the state, and as a rule papers are issued only after an examination in which the child proves his ability to read and write English. Massachusetts fixes the educational qualification at the completion of at least three years' work in the common schools, while Vermont stands alone in New England, and, I believe, in the United States, in the requirement that any minor under sixteen years of age must have completed the entire nine years of the grammar school course before being allowed to go to work, except when schools are not in session. A bill is now before the Rhode Island legislature, with excellent prospect of being enacted into law, in which the ability to read and write English is fixed as the minimum educational qualification in that state. This will leave Maine as the only one of the New England States demanding no qualification of this nature.

Proof of Age

In New Hampshire an affidavit of the parent or guardian is accepted in lieu of any documentary proof of age, while in Vermont, the New England conscience or the acuteness of the school officials

CHILD LABOR LAWS OF NEW ENGLAND

	Maine.	New Hampshire.	Vermont.	Massachusetts.	Rhode Island	Connecticut.
Minimum Age	14	12-14	12-16	14-16	14	14-16
Educational Qualifications	None	Must read and write English	Full 9 Years' Course	3 Years' Course	None	Must attend Evening School
Proof of Age	Certificate	Affidavit	None	Certificate	Certificate	Certificate
Hours of Employment	10-60	9 $\frac{3}{4}$ -58	Not after 8 P. M.	10-58 Between 6 A. M. and 10 P. M.	10-58 Between 6 A. M. and 8 P. M.	10-60
Enforcing Officers	Factory Inspector	State and Local School Officials	Local School Officials	State Police; Factory Inspectors; School Officials	Factory Inspectors	State and Local School Officials
Penalties	Fines (o)*	Fines (2)*	Fines (o)*	Fines (30+)*	Fines (o)*	Fines (61)*
Exemptions	Canneries	None	None	None	None	None
Physical Qualifications	None	None	None	None	None	None

*Number of prosecutions.

is to be relied upon, since the law requires neither affidavit nor documentary evidence. All the other New England States demand either a birth certificate, passport or similar evidence to establish the age.

As to the number of hours of employment, the provisions are more nearly uniform. In Maine and Connecticut ten hours daily and sixty hours weekly are authorized; in Massachusetts and Rhode Island ten hours daily and fifty-eight hours weekly; in New Hampshire nine and two-thirds hours daily and fifty-eight hours weekly. Vermont makes no provision in regard to the hours of work, except that a minor may not be employed after eight in the evening. We may assume that night work after twelve, midnight, would be legal in this case, since there is no morning opening hour fixed.

Maine, Massachusetts and Rhode Island have factory inspectors, whose duty it is to enforce the law. Massachusetts, in addition to employing a large corps of factory inspectors, gives equal authority in the enforcement of all parts of the child labor laws to truant officers in all the towns and cities. In Connecticut and New Hampshire the child labor laws are regarded more in the nature of complements to the school laws, and the enforcement is left to the state or local school officials. The wisdom of this provision is open to question.

Maine's Exemption

Maine is the only one of the New England States which makes any exemption of particular importance in the operation of the child labor laws; there the laws do not apply to any industry dealing with the packing or preserving of perishable goods, that is, particularly, to the canning industries. That this exemption is vicious in its results, is evident to those who are familiar with conditions in that state. Especially in the work of sardine canning on the eastern coast is the labor of children utilized. Sardines which, before they are presented to the public under that familiar name, are commonly known as herring, are caught in great quantities in the weirs, from which they are taken to the factories, where they are immediately cut and cleaned for packing. This work is very simple and can readily be done by children, a very large number of whom are employed in the cutting rooms of all the sardine factories. In many cases one passing through a sardine factory

finds children so small that they cannot possibly reach the fish on the low cutting tables without standing on a stool or box.

While an educational qualification is so generally recognized, none of the New England states has as yet required any physical qualification for the child worker. In the legislatures of Massachusetts and Rhode Island, however, bills fixing a qualification of this nature are now under consideration, and we have good reason to expect them both to become law.

Regulation of Street Trades

Special attempts are made to regulate the employment of children in the street trades in Boston and Portland. In Boston boys under fourteen are allowed to sell papers, black boots, or engage in any street trade, only after obtaining a license from the school committee, and this license can be obtained only by those boys who are regularly in attendance at school and whose conduct is good. This law provides that the boys shall attend school regularly, shall sell only on the sidewalk and not on cars, shall not remain on the street after eight in the evening, and shall always wear the badge provided by the school committee and carry their licenses with them. The main features of the law are fairly well enforced and the beneficial results can not be doubted. In other states little attempt has been made to regulate street trades. I have seen a boy of eleven years selling papers on the street at five o'clock in the morning, and in this particular case I was told by the boy that the only reason that he sold papers instead of working in a local factory was because he could make more money selling papers. When I expressed doubt as to his being able to get work in the factory he assured me that he knew many boys not so old as he who were so employed, and that he had the word of the foreman that he could at any time go to work.

Enforcement

However good a law may be, its practical value lies in its strict enforcement. It is probable that the child labor laws of the different states of New England are enforced as well as are similar laws in other places, but the investigator finds violations everywhere. Even in Massachusetts, where for the enforcement of the law there

is so large a body of officials, and where the sentiment is undoubtedly favorable, violations are not unknown. The report of the factory inspectors for the past year shows a considerable number of prosecutions for violation of the child labor laws, and reports of individual investigators show that, in some cases at least, violations occur and are not detected by the authorities. The greater number of these are probably in the smaller shops and factories, which are less frequently inspected and in which children may be employed for some time without the attention of the authorities being called to it. There is an honest difference of opinion among our people as to whether child labor laws can best be enforced by school officials or by special factory inspectors. Perhaps the Massachusetts provision, which gives these people co-ordinate power, is the best solution of this question. Certainly the school officials must have the right to enforce the laws for compulsory education, which exist in every New England state. To complete their powers, they need only the additional authority to enter business establishments where they may suspect truants to be employed.

In each of the New England States there are ample penalties for violation of the law, but the reports of the enforcing officials show very different results as to the application of these penalties. In Maine no manufacturer has been prosecuted for violation, and this is urged by some as evidence that the law is not well enforced. The factory inspector, however, maintains that he has found the manufacturers anxious to co-operate with him, and that as they have not wilfully violated the law, he has felt it unjust to prosecute them when violations have been detected. In New Hampshire in the past four years there have been only two prosecutions for violations of the child labor laws, and one of these related to the right of the officials to visit establishments. In Connecticut there were last year sixty-one prosecutions of employers or delinquent parents.

Vocational Schools

It is universally recognized that child labor laws and the school laws must supplement each other, but the feeling is manifested that to require a child to attend school until he is fourteen years of age, devoting his whole time to a distinctly literary curriculum, lacks some element of justice, particularly when it is conceded that a very large proportion of school children, and almost all those chil-

dren whose attendance at school depends upon the compulsory laws, are preparing for a life of manual labor. We have tried to believe that, even for the one who must toil with his hands, a literary education, as complete as circumstances might allow, is still of great value. We have felt the need of intelligent workingmen, and perhaps unconsciously we have allowed ourselves to accept the theory that the intellectual intelligence enthroned in our public schools must be the particular kind of intelligence which the workingman should have. Of late this theory has been sharply questioned, and the exponents of industrial education have brought forward the claim that intellectual training, however good it may be, is not enough to meet present day conditions. Nowhere has the demand for industrial or vocational education been more insistent than in New England, and nowhere in our country has a greater effort been made to meet this demand. The action of the State of Massachusetts, in providing for the establishment of vocational schools throughout the state has led the way for similar action in the other states. It is probable that within a few years in all the New England States special provision for vocational education at public expense will be given.

Child Labor Wasteful

Without doubt, the prevailing sentiment in New England, even in the manufacturing districts, is favorable to the restriction of child labor, at least to the extent of the existing laws. The manufacturers in general agree that the older operatives are more profitable, even if not always so tractable. One manufacturer, who has been in business for more than twenty-five years, said to me, "When we could employ children of ten or twelve years of age we had much less trouble with the discipline of the children than we have now with our young help." But the same man indicated his preference for adult workers, saying that the average child even of fourteen, represents a financial loss to his employer until he can be satisfactorily trained and "made to take some thought."

Another manufacturer, in a state where children of twelve may be employed during the school vacation, assured me that he found their employment wholly unprofitable, even when they were paid only about one-half the wages paid to older operatives. Many of the mills which formerly produced some of the coarser grades

of textile goods, have in the past few years turned their attention to the manufacture of goods of higher grade, introducing more complicated machinery and calling for more intelligent and more careful operation. This change has in itself resulted in displacing children and giving employment to operatives of an age at which they may reasonably be expected to "take some thought." One such company, now operating entirely without the employment of children, has been able to declare a dividend of sixty per cent. for the past year. There seems little doubt that cheap workmen may turn out a cheap product, but for the higher grade of goods, with a correspondingly higher profit, the manufacturer cannot afford to employ low grade help. The president of a large textile corporation in Rhode Island recently said to me in this connection: "We would not employ children under fourteen years of age even if the law permitted it. Young children constitute a positive loss to the employer."

The Foreigner

That there is need of strict enforcement of laws for compulsory education and for restriction of child labor comes to the average New England citizen who traces his ancestry back to revolutionary or colonial days as something of a shock. That the American spirit of family pride, which could of old be largely relied upon to secure every advantage for the rising generation, must now be bolstered up with legal props, is cause for wonder, and is sometimes doubted. But one must not forget how the changing times have changed the make-up of the population of the Northern States. When we realize that in Massachusetts, Rhode Island and Connecticut more than one-third of the population is of foreign birth and much more than one-half is of foreign parentage, we can readily see why long-cherished American ideals are in danger. When a further study of statistics shows that a vast majority of the new-comers to those states are from the shores of southern Europe, where neither Saxon nor Teutonic influences have prevailed, the need for constant activity on the part of the educational and legal forces of the state is even more manifest. Like the sleeping Turks of the time of Marcos Bozzaris, the dwellers in the leading industrial towns of New England are awakened by the cry "The Greeks! they come, they come!" The percentage of increase of population of foreign parent-

age in Massachusetts alone during the ten years from 1896 to 1905 shows a gain of 1,242 per cent. from Greece as against a gain of only 22 per cent. from all Saxon and Teutonic lands.

To safeguard the citizenship of the future and to protect those ideals which are so precious to every American, we must continue our work of child labor reform, ever keeping shoulder to shoulder with the educational leaders who are to provide for every child the practical training to which he has an inalienable right.